

#364
1 BILL NO. Z-88-08-39

2 ZONING MAP ORDINANCE NO. Z-Withdrawn

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. K-42.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
6 FORT WAYNE, INDIANA:

7 SECTION 1. That the area described as follows is hereby
8 designated a B-1-A (Limited Business) District under the
9 terms of Chapter 33 of the Code of the City of Fort Wayne,
10 Indiana of 1974:

11 One Acre of land in the Southeast 1/4 of the Northeast
12 1/4 of Section 15, Township 31 North, Range 12 East, it
13 being a part of Tract Number 4 of the Plat of Dreyer's
14 Subdivision in Washington Township, as per the recorded
15 Plat in Plat Book 9, page 61 of the Records in the
16 Recorder's Office of Allen County, Indiana, more
17 particularly described as follows, to-wit:

18 Commencing at the Southeast corner of Tract Number 4,
19 of the Plat of Dreyer's Subdivision in Washington
20 Township, as per the recorded plat in Plat Book 9, page
21 61 of the Record's in the Office of Allen County,
22 Indiana; thence running West along the South line of
23 said Tract Number 4, 1,044.2 feet, this point being the
24 Southeast corner of the traverse herein described;
25 thence running North parallel to the East line of said
26 Tract Number 4, 448.8 feet to a stake on the North line
27 of said Tract Number 4; thence running West along the
28 North line of said Tract Number 4, 97.5 feet to a
29 stake; thence running South parallel to the East line
30 of said Tract 4, 448.1 feet to a point marked by a
31 cross cut in the center line of the Ludwig Road, said
32 center line of road being the South line of said Tract
Number 4; thence running East along the South line of
said Tract 4, and the center line of the Ludwig Road
97.5 feet to the point of beginning.

SUBJECT TO the Ludwig Road upon and over the South 37.5
feet thereof.

and the symbols of the City of Fort Wayne Zoning Map No. K-
42, as established by Section 11 of Chapter 33 of the Code
of the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and approval by the
Mayor.

#364

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Janet G. Bradbury
Councilmember

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCauley
J. TIMOTHY MCCAULAY, CITY ATTORNEY

PRIME STAR BOND
SOUTHWORTH COMPANY
100% COTTON FIBER

DATE: 8-23-88

Read the third time in full and on motion by _____,
seconded by _____, and duly adopted, placed on its
passage. PASSED LOST by the following vote:

DATE: _____

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. _____
on the _____ day of _____, 19____

SEAL

PRESIDING OFFICER

SANDRA E. KENNEDY, CITY CLERK

PAUL HELMKE, MAYOR

RECEIPT

No 2796

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 7-6 1988

RECEIVED FROM K.W. Klein Inc. \$ 100.00

THE SUM OF One Hundred + 00/100 DOLLARS

ON ACCOUNT OF regional 1510 business Rd.

AUTHORIZED SIGNATURE gpk

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

THIS IS TO BE FILED IN DUPLICATE

DATE FILED _____

INTENDED USE _____

I/We James W. Stovall and Louise J. Stovall
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R 1 District to a/an B 1-A District the property described as follows:

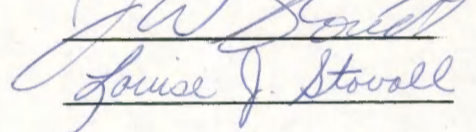
See attached legal description.

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED: 1510 Ludwig Road

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

<u>James W. Stovall</u>	<u>6826 Lima Road</u>	 <u>Louise J. Stovall</u>
<u>Louise J. Stovall</u>	<u>6826 Lima Road</u>	
_____ (Name)	_____ (Address)	_____ (Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

<u>James K. Stovall</u>	<u>2626 Jefferds Avenue</u>	<u>424-4540</u>
_____ (Name)	_____ (Address & Zip Code)	_____ (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/ 427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Owners of Property

(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:
FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST
"OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING
FROM BEING HELD.

One Acre of land in the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 15, Township 31 North, Range 12 East, it being a part of Tract Number 4 of the Plat of Dreyer's Subdivision in Washington Township, as per the recorded Plat in Plat Book 9, page 61 of the Records in the Recorder's Office of Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at the Southeast corner of Tract Number 4, of the Plat of Dreyer's Subdivision in Washington Township, as per the recorded plat in Plat Book 9, page 61 of the Records in the Recorder's Office of Allen County, Indiana; thence running West along the South line of said Tract Number 4, 1,044.2 feet, this point being the Southeast corner of the traverse herein described; thence running North parallel to the East line of said Tract Number 4, 448.3 feet to a stake on the North line of said Tract Number 4; thence running West along the North line of said Tract Number 4, 97.5 feet to a stake; thence running South parallel to the East line of said Tract 4, 448.1 feet to a point marked by a cross cut in the center line of the Ludwig Road, said center line of road being the South line of said Tract Number 4; thence running East along the South line of said Tract 4, and the center line of the Ludwig Road 97.5 feet to the point of beginning.

SUBJECT TO the Ludwig Road upon and over the South 37.5 feet thereof.

IN WITNESS WHEREOF, I place my hand and seal this 22nd day of December 1987.

Wm S. Davis

Legal Description from
Closing Affidavit
dated July 1977.

CERTIFICATE OF SURVEY

NUMBER

OFFICE OF **HOFER AND DAVIS, INC.**

CIVIL ENGINEERS & LAND SURVEYORS
FORT WAYNE, INDIANA

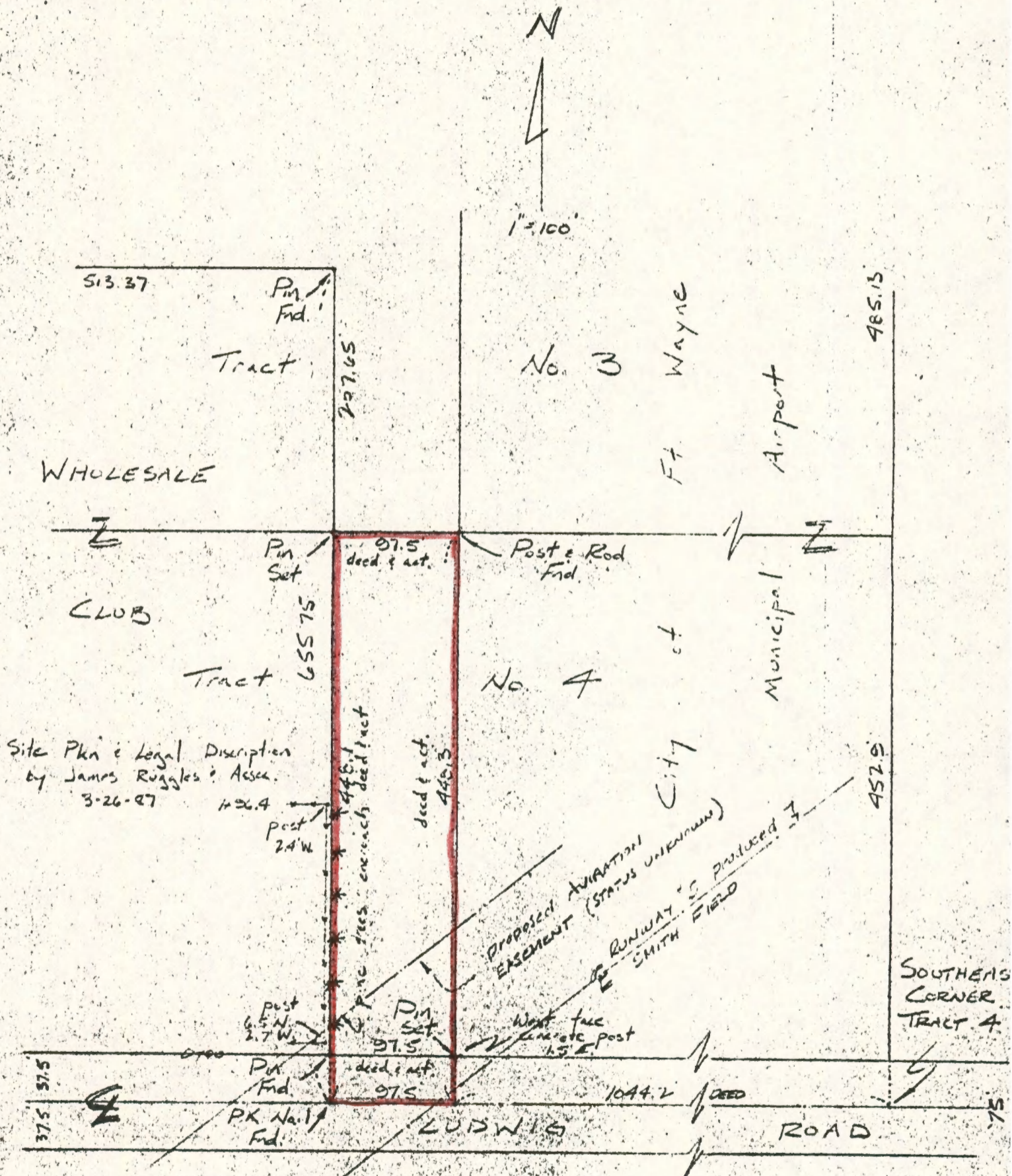
A. K. HOFER P.E. No. 72
(1968) L.S. No. 10504

CARL A. HOFER P.E. No. 7122
L.S. No. 10031

WILLIAM S. DAVIS L.S. No. S-0053
L.S. No. 18114 Michigan

This document is the record of a resurvey of land and real estate situated in the City of Fort Wayne, Allen County, Indiana, made in accordance with the plat and deed record thereof on file in the Office of Recorder of said County and State. The land below described exists in full dimension as herein noted in feet, and is free from encroachments by adjoining landowners, and furthermore, contains entirely within its boundaries the structures of the buildings on it situated, all as below indicated in detail. Any exceptions or discrepancies are below noted.

100 DESCRIPTION OF PROPERTY Lot No. **SEE ATTACHED SHEET**



FLOOD PLAIN CERTIFICATE

ZONE "C" (Areas of Minimal Flooding)
FIRM MAPS Panel 15, City of Fort Wayne
April 3, 1985.

IN WITNESS WHEREOF, I place my hand and
seal, this 22nd day of DEC 1987

Wm S. Davis

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 23, 1988 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-88-08-39: and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

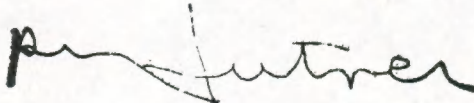
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 22, 1988.

Certified and signed this
25th day of August 1988.

A handwritten signature in dark ink, appearing to read "R. Hutner", written over a horizontal line.

Robert Hutner
Secretary

#364

ORIGINAL

ORIGINAL

DIGEST SHEET

Zoning Ordinance Amendment

TITLE OF ORDINANCE _____

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 1510 Ludwig Road

Z-88-08-39

EFFECT OF PASSAGE Property is presently zoned R-1 - Single Family Residential.

Property will become B-1-A - Limited Business District.

EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.)) _____

Division of Community Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

From R-1 to B-1-A

DETAILS

Specific Location and/or Address

1510 Ludwig Road

Reason for Project

Discussion (Including relationship to other Council actions)

18 August 1988 - Public Hearing

The petitioner requested a withdrawal of this requested zoning, in writing, at the public hearing. Commission approved the petitioner's request, there was no public testimony taken.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/
Proponents

Applicant(s)

James & Louise Stovall

City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff
Recommendation☐ For☐ Against

Reason Against

Board or
Commission
Recommendation

By

☐ For☐ Against☐ No Action Taken

☐ For with revisions to conditions
(See Details column for condition)

CITY COUNCIL
ACTIONS
(For Council
use only)☐ Pass☐ Other☐ Pass (as
amended)☐ Hold☐ Council Sub.☐ Do not pas

DETAILS

POLICY / PROGRAM IMPACT

Policy or
Program
Change

☐ No

☐ Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date 6 July 1988

Projected Completion or Occupancy

Date 25 August 1988

Fact Sheet Prepared by

Date 25 August 1988

Patricia Biancaniello

Reviewed by

Date

Reference or Case Number

30 August 1988

BILL NO. Z-88-08-39

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the
City of Fort Wayne Zoning Map No. K-42

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~) be withdrawn

YES

NO

Janet G. Bradbury
Mark E. GiaQuinta
Charles B. Redd

JANET G. BRADBURY
CHAIRPERSON
MARK E. GIAQUINTA
VICE CHAIRMAN
CHARLES B. REDD

DAVID C. LONG

PAUL M. BURNS

CONCURRED IN 9-13-88

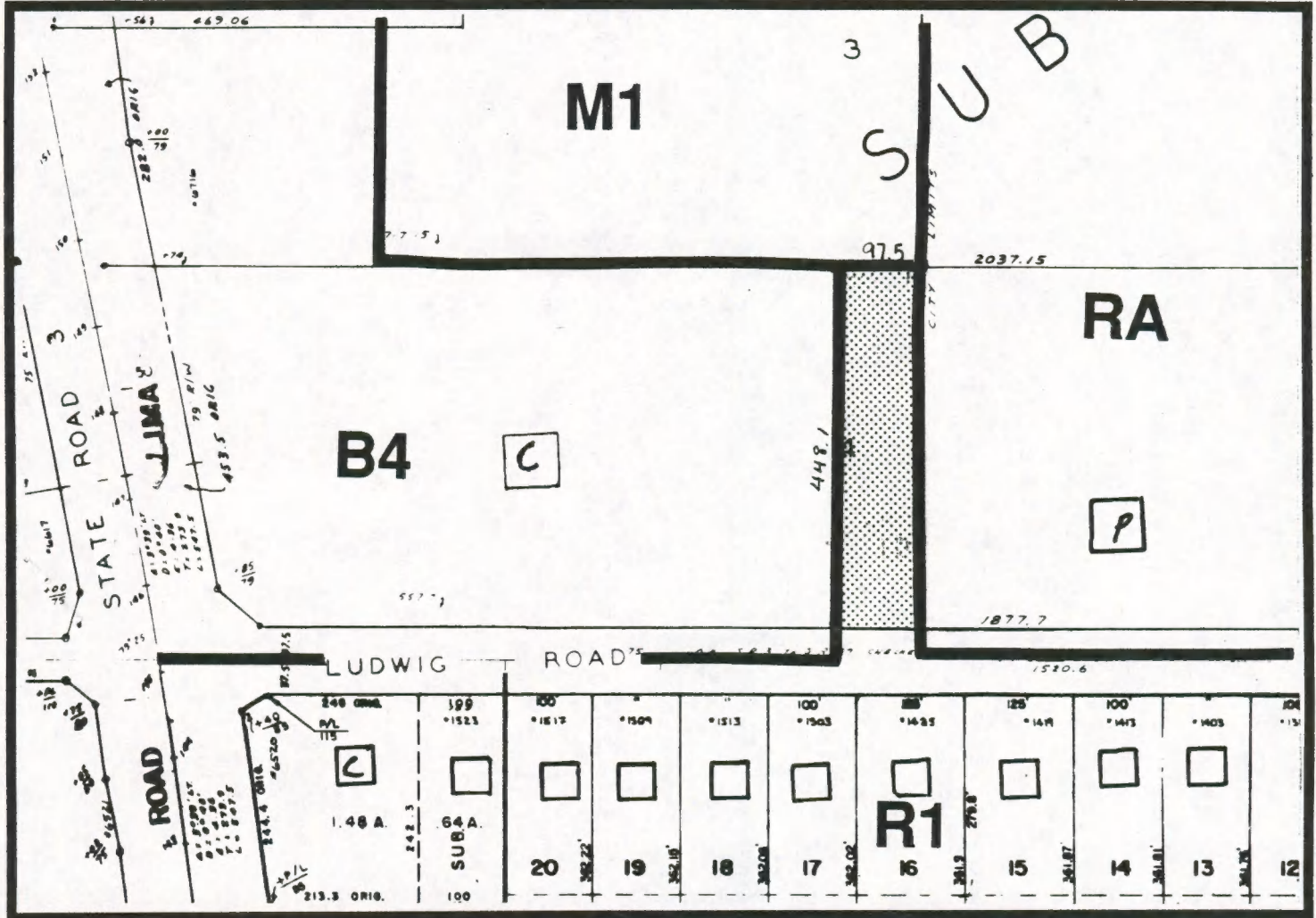
Sandra E. Kennedy
City Clerk

REZONING PETITION #364

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A R1 DISTRICT TO A B1A DISTRICT.

MAP NO. K-42

COUNCILMANIC DISTRICT NO. 3



ZONING:

R1 RESIDENTIAL DISTRICT

RA RESIDENCE "A"

B4 ROADSIDE BUSINESS

M1 LIGHT INDUSTRY

LAND USE:

☐ SINGLE FAMILY

☒ COMMERCIAL

☐ PUBLIC (Airport)

SCALE: 1" = 200'

DATE: 7-29-88

